

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ENDURANCE AMERICAN
INSURANCE COMPANY,

Plaintiff,

-v-

DIVISION 16 CONSTRUCTION CORP.,
et al.,

Defendants.

20-CV-8362 (JPO)

ORDER

J. PAUL OETKEN, District Judge:

On April 5, 2021, Defendant Juan Hernandez Jr. filed a *pro se* appearance and answer in this case, ostensibly on behalf of himself and Defendant Amy A. Hernandez. (Dkt. No. 25; Dkt. No. 26.) And on April 16, 2021, Juan Hernandez Jr. filed a second *pro se* appearance and answer, this time on behalf of Defendant Division 16 Construction Corporation. (Dkt. No. 28; Dkt. No. 29.)

28 U.S.C. § 1654 “does not permit unlicensed laymen to represent anyone else other than themselves.” *Lattanzio v. COMTA*, 481 F.3d 137, 139 (2d Cir. 2007) (internal quotation marks and citation omitted). Generally, unlicensed family members may not represent one another. *Iannaccone v. Law*, 142 F.3d 553, 558 (2d Cir. 1998) (“[A] lay person may not . . . appear on behalf of his or her own minor child”). Furthermore, “a layperson may not represent . . . a corporation.” *Lattanzio*, 481 F.3d at 139; *see also Omega Consulting v. Farrington Mfg. Co.*, 604 F. Supp. 2d 684, 685 (S.D.N.Y. 2009). It follows that proper appearances have not been entered on behalf of Amy A. Hernandez or Division 16 Construction Corporation.

Amy A. Hernandez is directed to obtain counsel or make a *pro se* appearance on her own behalf. Division 16 Construction Corporation is directed to obtain counsel. Amy A. Hernandez

or her counsel, as well as counsel for Division 16 Construction Corporation, shall file an appearance and answer on or before May 4, 2021.

The Clerk of Court is directed to mail a copy of this order to Defendants Amy A. Hernandez and Division 16 Construction Corporation.

SO ORDERED.

Dated: April 23, 2021
New York, New York



J. PAUL OETKEN
United States District Judge